



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
ACQUISITION AND GRANTS OFFICE

SUBJECT: NOAA Guidance Regarding American Rescue Plan Disaster Relief Flexibilities to Reduce Burden for Financial Assistance

DATE: April 28, 2021

The Office of Management and Budget (OMB), in Memorandum M-21-20 *Promoting Public Trust in the Federal Government through Effective Implementation of the American Rescue Plan Act and Stewardship of the Taxpayer Resources*, allows Federal awarding agencies the authority to grant exceptions to recipients affected by the pandemic, to the extent permitted by law. These exceptions are outlined in *Appendix 3 - Disaster Relief Flexibilities to Reduce Burden for Financial Assistance* of the memo.

The following guidance explains how the NOAA Grants Management Division (GMD) and NOAA Program Offices will address each subject, where needed, as outlined in the OMB Memorandum:

- 1. No-cost extensions on expiring awards.** (2 CFR § 200.309) To the extent permitted by law, NOAA may extend awards that were active as of March 31, 2021 and scheduled to expire prior or up to December 31, 2021 for a period of up to 12 months. Award recipients should initiate and submit no-cost extension requests in Grants Online no later than 30 days prior to period of performance end date (or, for research awards, no later than 10 days prior to period of performance end date for first time requests). This will allow time for recipient assessments, the resumption of many individual projects, and a report on program progress and financial status to agency staff. Project-specific financial and performance reports will be due 90 days following the end date of the extension. NOAA will examine the need to extend other project reporting as the need arises.

- 2. Extension of financial and other reporting.** (2 CFR § 200.328, 2 CFR § 200.329, 2 CFR § 200.329(e)(1)) NOAA permits recipients to delay submission of financial, performance and other reports up to three (3) months beyond the normal due date, and waives the requirement for recipients to notify us of problems, delays, or adverse conditions related to COVID-19 on an award by award basis. Recipients may continue to draw down Federal funds without the timely submission of these reports. These reports, however, must be submitted at the end of the extension period. Automated delinquent notifications will continue to be generated from Grants Online.
- 3. Extension of closeout.** (2 CFR § 200.344) NOAA permits recipients to delay submission of any pending financial, performance and other reports required by the terms of the award for the closeout of expired projects, provided that proper notice about the reporting delay is given by the grantee to NOAA. The recipient must submit the request for extension of closeouts in Grants Online no later than the closeout period end date, and may do so for up to 90 days at a time. This delay in submitting closeout reports may not exceed a cumulative one year after the award expires. *Upon receipt of all final reports, NOAA will have six months to close out the award.*
- 4. Extension of Single Audit submission.** (2 CFR § 200.501) NOAA permits recipients and subrecipients that have not yet filed their single audits with the Federal Audit Clearinghouse as of the date of the issuance of this memorandum that have fiscal year-ends through June 30, 2021, to delay the completion and submission of the Single Audit reporting package, as required under Subpart F of 2 CFR § 200.501, to six (6) months beyond the normal due date. This extension does not require individual recipients and subrecipients to seek approval for the extension by the cognizant or oversight agency for audit; however, recipients and subrecipients should maintain documentation of the reason for the delayed filing. Recipients and subrecipients taking advantage of this extension would still qualify as a "low-risk auditee" under the criteria of 2 CFR § 200.520(a).
- 5. Flexibility with application deadlines.** (2 CFR § 200.204) NOAA may provide flexibility with regard to the submission of competing applications in response to specific announcements, as well as unsolicited applications, presuming these exceptions do not negatively impact underserved communities. As appropriate, NOAA Program and Staff Offices should contact GMD to request Notice of Funding Opportunities (NOFO) deadline extensions in a timely manner. In addition, NOAA must list specific guidance on its websites and provide a point of contact for an agency program official.
- 6. Pre-award costs.** (2 CFR § 200.210, 2 CFR § 200.458) NOAA will permit necessary pre-award costs that are incurred: (i) from March 15, 2021 through the Public Health Emergency Period, or December 31, 2021, whichever comes first; and (ii) prior to the effective date of a Federal award. Award recipients should initiate and submit pre-award costs requests for over 90 days in Grants Online.
- 7. Abbreviated non-competitive continuation requests.** (2 CFR § 200.309) At the

discretion of the NOAA program office, for non-competitive continuation requests scheduled between April 1, 2021 and December 31, 2021, NOAA will accept a brief statement from recipients to verify that they are in a position to: (1) resume or restore their project activities; and (2) accept a planned continuation award. NOAA will post any specific instructions on its website. NOAA will examine the need to extend this approach on subsequent continuation award start dates as recipients have an opportunity to assess the situation.

- 8. Waivers from prior approval requirements.** (2 CFR § 200.407) NOAA may waive prior approval requirements as necessary to effectively address the response; however, recipients must continue to submit requests in Grants Online to ensure proper documentation of the Grants File and reflect deviations in programmatic reports. All costs charged to Federal awards must be consistent with Federal cost policy guidelines and the terms of the award, except where specified in this memorandum.
- 9. Waiver for Notice of Funding Opportunities (NOFOs) Publication.** (2 CFR § 200.204) NOAA may publish emergency and competitive NOFOs for grants and cooperative agreements for less than 30 days without approved documentation. NOAA is still required to document and track NOFOs published for less than 30 days under this emergency waiver.
- 10. Flexibility for the Management requirement related to Physical Inventories.** (2 CFR § 200.313 (d) (2)) NOAA will provide grantees up to a 12-month extension for the biennial physical inventory of equipment purchased under a Federal award.
- 11. Flexibility with SAM registration/recertification.** (2 CFR § 25.110) Current registrants in SAM with active registrations expiring between April 1, 2021 and September 30, 2021 will automatically be afforded a one-time extension of 180 days. At the time of award, the requirements of 2 CFR § 200.206, Federal awarding agency review of risk posed by applicants, continue to apply.
- 12. Exemption of certain procurement requirements.** (2 CFR § 200.319(b), 2 CFR § 200.321) NOAA authorizes waivers of the procurement requirements contained in 2 CFR § 200.319(b) regarding geographical preferences and 2 CFR § 200.321 regarding contracting small and minority businesses, women's business enterprises, and labor surplus area firms. NOAA requires recipients to maintain appropriate records and documentation to support the charges against the Federal awards.

Questions pertaining to this guidance should be directed to Arlene Simpson Porter, Director, Grants Management Division, at Arlene.S.Porter@noaa.gov, or by telephone at (301) 628-1314.